

TAV HOLDINGS, INC. RCRA 7003 ORDER- ATLANTA, GA
DELIBERATIVE/ATTORNEY-CLIENT PRIVILEGE

Date Prepared: 4/26/2022

Issue: (b)(5)(b)(7)

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Background:

- On January 10, 2022, the EPA issued a unilateral RCRA 7003 Order to TAV Holdings, Inc. that became effective on January 18, 2022, and requires TAV to develop plans to abate the imminent and substantial endangerment caused by its operations and management of automobile shredder residue waste at the facility.
- The EPA holds weekly meetings with TAV to discuss implementation of the Order.
- On January 21, 2022, TAV submitted a Response to the Order with its intent to comply “in part” with the Order. The response stated that TAV has “abated any risk of in-process material being released from the site” and believes it has satisfied the requirement to cease activities that may result in release of solid and/or hazardous waste to the environment.
- On January 28, 2022, the EPA completed a Focused Compliance Inspection at the facility and documented active releases to the environment
- The EPA has provided weekly formal and/or informal communication including technical feedback, reminders of upcoming deadlines, and documented noncompliance.
- On February 23, 2022, the EPA issued a Notice of Noncompliance to TAV.
- On March 15, 2022, the EPA held a Virtual Public Meeting in collaboration with OSHA to update the community on the status of the Order and provide resources to address lead concerns.
- On March 22, 2022, the EPA received a citizen complaint alleging onsite releases.
- On April 15, 2022, TAV submitted a statement to the EPA disclosing four instances where it transferred “stormwater” from the processing area of its facility to a stormwater retention pond at another area of its facility.
- The deliverables that the EPA has received to date have been largely outside the scope of the Order, late, and lacking essential content. Revisions have failed to address the EPA’s comments. TAV has not submitted their required Site Stabilization Plan and Materials Management Plan.

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Environmental Justice Concerns

- The facility is located in a minority and low-income area.
- According to an EJSCREEN Report run on April 14, 2022, the facility is in an area where 9 out of 12 Pollution and Source Variables (previously referred to as Environmental Indicators) rank above the 80th Percentile.
- The Facility is located immediately south of the Crawford Long Middle School, in SW Atlanta, Georgia.

4/26/22

Significant or moderate press interest:

The EPA has received significant press interest since the issuance of the Order, due to the location of the facility, off-site releases of lead into the adjacent creek, and proximity to the school and residences.

Anticipated reactions of elected officials and stakeholders: N/A

Next Steps:

- (b)(5)(b)(7)

Additional Background:

- Additional background is in the January 3, 2022 briefing sheet.
- Superfund sampling shows no concentrations of lead in the soils at the middle school above background.
- Superfund is working to evaluate the potential need for a removal, and additional soil, sediment and air sampling near the facility.

Location Visual:

